



## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0035912; PPWOCRADN0-PCU00RP14.R50000]

**Notice of Inventory Completion: U.S. Army Corps of Engineers, Nashville District, Nashville, TN and the University of Tennessee, Department of Anthropology, Knoxville, TN**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Army Corps of Engineers, Nashville District, in cooperation with the University of Tennessee, Department of Anthropology (UTK), has completed an inventory of human remains and associated funerary objects and has determined that there is no cultural affiliation between the human remains and associated funerary objects and any Indian Tribe. The human remains and associated funerary objects were removed from Stewart County, TN.

**DATES:** Disposition of the human remains and associated funerary objects in this notice may occur on or after [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE **FEDERAL REGISTER**].

**ADDRESSES:** Dr. Valerie McCormack, Archaeologist, U.S. Army Corps of Engineers, Nashville District, 110 9<sup>th</sup> Avenue South, Room A-405, Nashville, TN 37203, telephone (615) 736-7847, email [valerie.j.mccormack@usace.army.mil](mailto:valerie.j.mccormack@usace.army.mil) and Dr. Ozlem Kilic, Vice Provost for Academic Affairs, University of Tennessee, 527 Andy Holt Tower, Knoxville, TN 37996-0152, telephone (865) 974-2454, email [okilic@utk.edu](mailto:okilic@utk.edu) and [vpaa@utk.edu](mailto:vpaa@utk.edu).

**SUPPLEMENTARY INFORMATION:** This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the U.S. Army Corps of Engineers, Nashville District. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by the U.S. Army Corps of Engineers, Nashville District.

## **Description**

In June and July of 1974, human remains representing, at minimum, eight individuals were removed from 40SW23, the Stone Site or Bear Creek Site, in Stewart County, TN, during excavations conducted by Murray State University. This site lies within the Barkley Dam operating project. Subsequently, these ancestors and objects were transferred to UTK, where they currently reside. The human remains belong to seven infants and one child of indeterminate age. No known individuals were identified. The 15 associated funerary objects are eight faunal bones and teeth, one shell, one potsherd, one rock, one lot consisting of charcoal fragments, and three earplug-shaped items composed of a fibrous plant material. (A Notice of Inventory Completion for other human remains and associated funerary objects from this site was published in the *Federal Register* on July 19, 2017, and a correction notice was published in the *Federal Register* on July 6, 2020. The repatriation and reburial of those human remains and associated funerary objects took place in August of 2018.)

## **Aboriginal land**

The human remains and associated funerary objects in this notice were removed from known geographic locations. These locations are the aboriginal lands of one or more Indian Tribes. The following information was used to identify the aboriginal land: a final judgment of the Indian Claims Commission or the United States Court of Claims and treaties.

## **Determinations**

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes, the U.S. Army Corps of Engineers, Nashville District has determined that:

- The human remains described in this notice represent the physical remains of eight individuals of Native American ancestry.
- The 15 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- No relationship of shared group identity can be reasonably traced between the human

remains and associated funerary objects and any Indian Tribe.

- The human remains and associated funerary objects described in this notice were removed from the aboriginal land of the Cherokee Nation; Eastern Band of Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

### **Requests for Disposition**

Written requests for disposition of the human remains and associated funerary objects in this notice must be sent to the Responsible Official identified in ADDRESSES. Requests for disposition may be submitted by:

1. Any one or more of the Indian Tribes identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization, or who shows that the requestor is an aboriginal land Indian Tribe.

Disposition of the human remains and associated funerary objects described in this notice to a requestor may occur on or after [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE **FEDERAL REGISTER**]. If competing requests for disposition are received, the U.S. Army Corps of Engineers, Nashville District must determine the most appropriate requestor prior to disposition. Requests for joint disposition of the human remains and associated funerary objects are considered a single request and not competing requests. The U.S. Army Corps of Engineers, Nashville District is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

**AUTHORITY:** Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9 and § 10.11.

Dated: May 17, 2023.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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